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June 22, 2015

Via ECF

The Honorable Denise L. Cote
United States District Court for the
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

CONFIDENTIAL
TECHNICAL
6/25/2015
MEMO ENDORSED

Re: Request to File Under Seal

NCUA v. RBS Securities Inc., No. 11-02340 (D. Kan.)
NCUA v. RBS Securities Inc., No. 11-05887 (C.D. Cal.)
NCUA v. Morgan Stanley & Co., No. 13-06705 (S.D.N.Y.)

Dear Judge Cote:

RBS filed today a redacted letter motion seeking additional deposition time. In accordance with Rule 4(A) of the Court's Individual Practices in Civil Cases, the Court's June 8, 2015 Order (ECF No. 234),¹ and Paragraph 9 of the Master Protective Order, RBS requests that it be allowed to manually file the attached letter motion, and the attached accompanying exhibits under seal.

RBS has redacted the portions of its letter motion that concern deposition testimony given by Connie Loveless, which Plaintiff designated Confidential, correspondence concerning Ms. Loveless' deposition testimony, and documents produced by Plaintiff and designated Highly Confidential.

A list of exhibits RBS is requesting to file under seal is attached. Exhibits A through D were produced by Plaintiff and designated Highly Confidential. Exhibit F is an email from counsel for RBS to counsel for Plaintiff that references deposition testimony Plaintiff has designated confidential. Parties may designate materials Confidential or Highly Confidential pursuant to the Master Protective Order (ECF No. 103) entered in these matters. Paragraph 9 of the Master Protective Order provides:

¹ All ECF citations are to *NCUA v. Morgan Stanley & Co.*, No. 13-06705 (S.D.N.Y.).

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In the event that before trial in the Related Actions, or in connection with any hearing in or any matter relating to the Related Actions, counsel for any Party determines to file or submit in writing to the Clerk's office any Protected Material, or any papers containing or making reference to the substance of such material or information, such documents or portions thereof containing or making reference to such material or information shall be filed with a request that the documents be filed under seal in accordance with the rules of the Court, and kept under seal until further order of the Court.

In accordance with Rule 4(A) of the Court's Individual Practices in Civil Cases, the Court's June 8, 2015 Order, and Paragraph 9 of the Master Protective Order, RBS requests permission to file its letter motion and Exhibits A, B, C, D, and F to the letter motion under seal in accordance with the rules of Court, and requests that the documents be kept under seal until further order of the Court.

Very truly yours,

/s/ David I. Horowitz

David I. Horowitz

cc: Counsel of Record (via ECF)

Counsel of Record.

David I. Horowitz

June 24, 2015

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Documents Requested To Be Filed Under Seal

Exhibit A	NCUA_A_0082382-83
Exhibit B	NCUA_A_0082390-92
Exhibit C	NCUA_A_0082386-89
Exhibit D	NCUA_A_0082384-85
Exhibit F	5/21/15 Email from counsel for RBS to counsel for NCUA